



Department of
**Environment &
Conservation**

LOCAL APPROVAL OF LANDFILLS & PROCESSING FACILITIES

ENVIRONMENTAL SHOW OF THE SOUTH 2018

Regional Approval under T.C.A. Title 68

Chapter 211 Part 8



T.C.A. 68-211-814(b)(2) applicant for a permit for a municipal solid waste landfill or incinerator must submit a copy of the application to the municipal solid waste region at or before the time the application is submitted to the department.

The region must render a decision within 90 days of receipt of a complete application.

Regional Approval under T.C.A. Title 68

Chapter 211 Part 8



- If the region rejects the application, the department shall not issue the permit **unless** it finds that the region's decision was arbitrary and capricious and unsupported in the record developed before the region.
- Applicant must submit documentation to the department within 120 days of its submittal of a complete application to the region.

Local Approval under T.C.A. Title 68

Chapter 211 Part 7

Counties “opt-in to the “Jackson Law”. They then approve or disapprove “new” solid waste disposal facilities and solid waste processing facilities.



These include:

- Facilities issued a permit after June 2, 1989 (effective date of the Jackson Law)
- Any modification that expands the previously permitted footprint.
- Modification requiring a change of classification (Class III/IV Class I or II etc.)

Local Approval under T.C.A. Title 68

Chapter 211 Part 7



- **But exclude:**
- Facilities existing on June 2, 1989 and any expansion of those facilities.
- Private landfill that only accept waste solely generated by its owner **if** the waste is solely generated within the county where the landfill is located.
- If a local government(s) has not adopted the Jackson Law prior to the date the department issues public notice of a tentative decision to issue a permit, the Jackson Law does not apply to that permitting process.

Local Approval under Private Acts 1990 Chapter 210

No permit may be issued for a new solid waste landfill or processing facility in Lewis County if the application was submitted by a county or municipality outside Lewis County, unless the legislative body of Lewis County approves it.

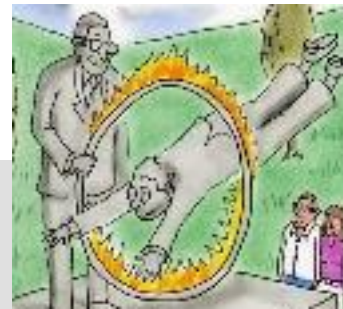


Public Notice of Drilling

T.C.A. 68-211-106(g) in Bledsoe, Lawrence, Lewis and any county whose population is not less than 9,650 and not more than 9,750 and not less than 34,075 and not more than 34,175 in the 1980 federal census or any subsequent census.

Any person applying for a permit for which core drilling is required must notify the department 45 days before the drilling and give public notice 30 days before the drilling.

Also requires the applicant to include a copy of the public notice in the permit application to the department and mandates that the application be denied if this is not done.



Scenic Rivers Act

T.C.A. 11-13-111



No landfill for solid or hazardous wastes shall be permitted within two (2) miles from the center of a Class II river on each side nor within two (2) miles of the center of such river on each side in any county which is adjacent to such Class II river, notwithstanding the fact that the river is not designated as a scenic river in such adjacent county, if the river in such adjacent county flows into the county in which such river is designated as a Class II river.

Class II River Areas

- Blackburn Fork: from one and one-half (1 ½) miles downstream from the county road at Cummings Mill to its confluence with Roaring River.
- Buffalo River: The entire river, except that within Wayne, Perry, Humphreys and Lewis counties.
- Collins River: That segment which lies within the Savage Gulf natural-scientific area.
- Duck River: Iron Bridge Road river mile 136.4 extending continuously to a point upstream to the boundary of Marshall County at river mile 173.7.
- Harpeth River: The entire river except that segment lying north of Highway 100 and south of Interstate 40 in Davidson County; and except those segments located in Cheatham, Dickson and Williamson counties.
- Roaring River: That segment downstream from a point two (2) miles downstream from State Route 136, to its confluence with the Cordell Hull Lake.
- Spring Creek: That segment between State Highway 136 and Waterloo Mill, and that segment downstream from the Overton-Jackson county line to its confluence with Roaring River.



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THANKS!

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